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Honorable Timothy W. Dore  
Chapter 7  
Hearing Location: Seattle, Rm. 8106  
Hearing Date: April 28, 2023  
Hearing Time: 9:30 a.m.  
Response Date: April 21, 2023

8 UNITED STATES BANKRUPTCY COURT  
9 WESTERN DISTRICT OF WASHINGTON  
10 AT SEATTLE

11 In re:

12 WIRELESS ADVOCATES, LLC

13 Debtor.

Case No. 23-10117-TWD

**REPLY IN SUPPORT OF MOTION  
TO APPROVE STIPULATION AND  
AUTHORIZE USE OF CASH  
COLLATERAL PURSUANT TO  
SECTIONS 361 AND 363 OF THE  
BANKRUPTCY CODE AND  
GRANTING RELATED RELIEF**

15 Virginia Burdette, Chapter 7 Trustee (the “Trustee”) for Wireless Advocates, LLC (the  
16 “Debtor”), submits this Reply in Support of the Motion to Approve Stipulation and Authorize Use of  
17 Cash Collateral Pursuant to Sections 361 and 363 of the Bankruptcy Code and Granting Related  
18 Relief (the “Motion”) (Dkt. 177). In support of this Reply, the Trustee respectfully states as follows:

19 **I. REPLY**

20 Costco Wholesale Corporation filed a Limited Response to the Motion at Dkt. 192. Costco  
21 suggests certain language should be included in the form of the order approving the Stipulation  
22 presumably intending to clarify that the Trustee is not releasing avoidance action or subordination  
23 claims. The language requested in Costco’s order is consistent with the terms of the Stipulation.  
24 Paragraph 6 of the Stipulation states:

25 REPLY IN SUPPORT OF MOTION TO APPROVE  
26 STIPULATION AND AUTHORIZE USE OF  
CASH COLLATERAL- 1  
506644978.1

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1 This Stipulation and proposed Order are without prejudice to, and nothing contained herein  
2 constitutes or shall be deemed a waiver (expressly or implicitly) by the Trustee of, any rights,  
3 claims, or defenses that the Trustee may have against Brettler or any other party-in-interest in this  
4 chapter 7 case or otherwise.

5 This language is clear: The Trustee is reserving any claims, including avoidance claims,  
6 subordination claims, **any claims**. The Trustee is open to the Court's revision of the proposed form  
7 of order consistent with this understanding.

## 8 II. CONCLUSION

9 The Trustee respectfully requests that the Court grant her Motion and enter an order  
10 approving the Stipulation and authorizing the Trustee to use cash collateral as set forth in the  
11 Stipulation and grant such further relief as may be just and proper.

12 Dated this 25th day of April, 2023.

13 K&L GATES LLP

14 /s/ Michael J. Gearin

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24 *Attorneys for Virginia Burdette, Chapter 7*  
25 *Trustee*

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*/s/ Denise A. Lentz*  
Denise A. Lentz

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